

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, EASTERN DIVISION

DECKRICE L. MORRISSEY,)
)
 Plaintiff,)
)
 v.)
)
 CHRISTOPHER CHRISTIAN,)
 et al.,)
)
 Defendants.)

CIVIL ACTION NO.
3:15cv500-MHT
(WO)

JUDGMENT

In accordance with the memorandum opinion entered this date, it is the ORDER, JUDGMENT, and DECREE of the court as follows:

(1) The plaintiff's objections (doc. no. 5) are overruled.

(2) The United States Magistrate Judge's recommendation (doc. no. 4) is adopted and this case is dismissed in its entirety as set forth in the rest of this judgment.

(3) The plaintiff's challenge to the constitutionality of her arrest and her claim regarding

the lack of a post-arrest investigation by law enforcement officials are dismissed with prejudice pursuant to the provisions of 28 U.S.C. § 1915(e)(2)(B)(I) as the plaintiff failed to file the complaint before the statute of limitations expired and because the latter claim provides no basis for relief.

(4) To the extent the plaintiff presents a claim of malicious prosecution with respect to her conviction, this claim is dismissed without prejudice pursuant to the provisions of 28 U.S.C. § 1915(e)(2)(B)(ii) as this claim is not one on which relief can currently be granted.

(5) The plaintiff's claims challenging the constitutionality of her conviction are dismissed without prejudice in accordance with the directives of 28 U.S.C. § 1915(e)(2)(B)(ii), as such claims are must be pursued in a habeas-corpus petition, not a 42 U.S.C. § 1983 civil action.

It is further ORDERED that costs are taxed against the plaintiff, for which execution may issue.

The clerk of the court is DIRECTED to enter this document on the civil docket as a final judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

This case is closed.

DONE, this the 31st day of August, 2015.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE